

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

BOBBY J. GOLDEN,  
Plaintiff,

VERSUS

CAUSE NO: 1:06cv1006LG-JMR

HARRISON COUNTY, MISSISSIPPI;  
SHERIFF GEORGE PAYNE,  
OFFICIALLY AND IN HIS  
INDIVIDUAL CAPACITY; LEE OATIS  
JACKSON, OFFICIALLY AND IN HIS  
INDIVIDUAL CAPACITY; MAJOR  
DIANNE GASTON-RILEY,  
OFFICIALLY AND IN HER  
INDIVIDUAL CAPACITY; CAPTAIN  
RICK GASTON, BOOKING  
SUPERVISOR, OFFICIALLY AND IN  
HIS INDIVIDUAL CAPACITY;  
CAPTAIN PHILLIP TAYLOR,  
OFFICIALLY AND IN HIS  
INDIVIDUAL CAPACITY; JOHN DOES  
1-5, OFFICIALLY AND IN THEIR  
INDIVIDUAL CAPACITY,  
Defendants.

**DEPOSITION OF BOBBY J. GOLDEN**

Taken at the offices of Dukes, Dukes,  
Keating & Faneca, P.A., 2909 13th  
Street, Sixth Floor, Gulfport,  
Mississippi, on Friday, February 15,  
2008, beginning at 9:56 a.m.

EXHIBIT

"D"

1 block.

2 Q. That was with officer Jackson?

3 A. That was with Officer Jackson.

4 Q. Okay.

5 A. So Officer Jackson asked me to talk to  
6 him outside on the yard, recreation area.

7 Q. And then what occurred?

8 A. He started putting on his gloves, and he  
9 say, I told you to stay away from my girlfriend,  
10 what you fighting in front of my children for.

11 Q. Do you know if the children were  
12 present?

13 A. Are you talking about the domestic  
14 violence?

15 Q. Yes.

16 A. No.

17 Q. Were they in the house?

18 A. Yes, they was in the house.

19 Q. But they weren't present?

20 A. No. They was on the other side of the  
21 house.

22 Q. So he put on his black gloves?

23 A. Uh-huh.

24 Q. Continue on. What else did he say to  
25 you?

1           A.    Started punching me in my ribs and  
2           stomach. I fell down, and he started kicking me.

3           Q.    Okay.

4           A.    So then he picked me up, he told me, he  
5           say, get up, get up. So I was scared to get up  
6           because I thought he was going to start back  
7           punching and kicking. So he picked me up and  
8           brought me back in the -- in the area. And then I  
9           didn't want to go back into that cell block  
10          because I thought the juveniles was going to jump  
11          on me, thought he was, you know, going to make  
12          them jump on me again.

13          Q.    Okay. Were you resisting?

14          A.    No. I wasn't resisting.

15          Q.    Okay.

16          A.    And then he say, lock him up in  
17          isolation, and that's when I started resisting  
18          because I said, no, I'm not going to no isolation.  
19          I figured you go to isolation -- isolation is  
20          pretty bad.

21          Q.    What do you mean it's bad?

22          A.    You isolated.

23          Q.    Okay. But you started resisting at that  
24          point?

25          A.    Yeah.